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Chase Home Finance LLC

**IN THE UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

ROBERT VEGA, SR., and MELE L.  
VEGA, individually and on behalf of a class  
of persons similarly situated,

Plaintiffs,

vs.

CTX MORTGAGE COMPANY, LLC,  
CHASE HOME FINANCE, JOHN L.  
MATTHEWS, TIMOTHY BARTOSH,  
CAL-WESTERN RECONVEYANCE  
CORPORATION, STANLEY S. SILVA,  
and DOES 1 through 100,  
Defendants.

CASE NO.: 3:10-cv-00405-RCJ-VPC

**STIPULATION AND ORDER FOR  
EXTENSION OF TIME TO SUBMIT  
DISCOVERY PLAN AND  
SCHEDULING ORDER PURSUANT  
TO LR26-1**

COMES NOW, Defendant CHASE HOME FINANCE, LLC, by and through its attorneys,  
LEANN PEDERSEN POPE, ESQ., DANIELLE J. SZUKALA, ESQ. AND SHANA A.

1 SHIFRIN, ESQ. of BURKE WARREN MACKAY & SERRITELLA, PC, JAY E. SMITH, ESQ.,  
2 JOSEPH T. PRETE, ESQ. and KATIE M. WEBER, ESQ. of SMITH LARSEN & WIXOM,  
3 along with Plaintiffs ROBERT VEGA SR. AND MELE L. VEGA, ("Plaintiffs") by and through  
4 their attorneys of record ROBERT R. HAGER, ESQ. AND TREVA J. HEARN, ESQ. of HAGER  
5 & HEARNE, Defendants CTX MORTGAGE COMPANY, LLC, JOHN L. MATTHEWS,  
6 TIMOTHY BARTOSH, by and through their attorney of record COLT B. DODRILL, ESQ. of  
7 WOLFE WYMAN, LLC, Defendant CAL-WESTERN RECONVEYANCE CORPORATION by  
8 and through its attorney of record LAUREL I. HANDLEY, ESQ. of PITE DUNCAN, LLP and  
9 Defendant STANLEY S. SILVA, by and through his attorney of record, ZACHARY T. BALL,  
10 ESQ. of FIDELITY NATIONAL LAW GROUP (collectively, the "Parties") and hereby stipulate  
11 to and respectfully request that the Court grant the parties an extension of time to submit their  
12 discovery plan and scheduling order pursuant to LR 26-1 pending the completion of the  
13 mediation of this matter. As grounds for this Stipulation, the Parties submit the following:

- 14 1. On July 2, 2010, a Petition for Removal was filed in this Court (Docket No. 1).
- 15 2. On September 24, 2010, Defendant Chase Home Finance LLC ("Chase") filed its  
16 Motion to Dismiss (Docket No. 20).
- 17 3. On September 24, 2010, Defendant Stanley S. Silva filed a joinder to Chase's  
18 Motion to Dismiss (Docket No. 21).
- 19 4. On September 24, 2010, Defendants CTX Mortgage, Bartosh and Matthews filed  
20 their Motion to Dismiss (Docket No. 22).
- 21 5. Defendant Cal-Western Reconveyance filed a joinder as to Chase's Motion to  
22 Dismiss on September 27, 2010 (Docket No. 23).
- 23 6. Plaintiffs filed their Opposition to the Motions to Dismiss on October 11, 2010  
24 (Docket No. 24).
- 25 7. CTX Mortgage, Bartosh and Matthews filed their reply in support of their Motion  
26 to Dismiss on October 21, 2010 (Docket No. 25).
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- 28

1           8. Chase filed its reply in support of its Motion to Dismiss on December 2, 2010  
2 (Docket No. 29).

3           9. The Court heard argument on the Motions to Dismiss on January 18, 2011. The  
4 Court issued its opinion on January 19, 2011 and granted the Defendants' Motions to Dismiss on  
5 all claims except Plaintiffs' "claim for injunctive relief due to statutorily defective foreclosure."  
6 (Docket No. 33.) The Court also ordered the Parties to engage in mediation. (*Id.*)

7           10. Because mediation may result in settlement and dismissal of this matter entirely,  
8 the Parties believe that good cause exists to extend the deadline for the Parties to submit a  
9 discovery plan and scheduling order until after the Parties have completed mediation and/or  
10 settlement negotiations.

11           **WHEREFORE** the Parties stipulate and respectfully request that the Court grant an  
12 extension of time to submit their discovery plan and scheduling order pursuant to LR 26-1 until at  
13 least 30 days after the Parties inform the Court that they have completed mediation and that it did  
14 not result in settlement.

15           DATED this 18th day of February, 2011.

**SMITH LARSEN & WIXOM**

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*Attorney for Stanley S. Silva*

IT IS SO ORDERED

  
U.S. MAGISTRATE JUDGE

DATED: February 28, 2011.

ORDER

IT IS SO ORDERED.

DATED \_\_\_\_\_

\_\_\_\_\_  
UNITED STATES DISTRICT COURT JUDGE

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